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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/750,025

12/31/2003

Jyh Chain Lin

9335

25859

7590

10/31/2005

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EXAMINER

LEE, WILSON

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,025

Applicant(s)

LIN, JYH CHAIN

Examiner

Wilson Lee

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10-10-05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 12 and 13 is/are rejected.
- 7) ☒ Claim(s) 4-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Remarks

The finality of the application has been withdrawn. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection due to an update search.

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Takeuchi et al. (5,418,432).

Regarding Claim 12, Takeuchi discloses an illumination system comprising:

- a primary sub-system including a primary driving circuit (14G), a primary light tube (12G), a primary photosensitive element (13G) and a primary feedback circuit (19b) connected in series; and
- at least one secondary sub-system including a secondary driving circuit (14R), a second light tube (12R), a secondary photosensitive element (13R) and a secondary feedback circuit (19a) connected in series;
- wherein the primary photosensitive element (13G) is linked to the secondary feedback circuit (19a) (through divider 23. See Figure 5B).

Regarding Claim 13, Takeuchi discloses a method of providing an array of light tubes with consistent illumination (See Figure 5B), comprising the steps of:

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- providing a primary sub-system including a primary driving circuit (14G), a primary light tube (12G), a primary photosensitive element (13G) and a primary feedback circuit (19b) connected in series; and
- providing at least one secondary sub-system including a secondary driving circuit (14R), a secondary light tube (12R), a secondary photo-sensitive element (13R) and a secondary feedback circuit (19a) connected in series;
- wherein the primary sub-system and the secondary sub-system are mainly separate from each other except the secondary feedback circuit (19a) is also influenced by the primary sub-system (converter 18G sends signal to secondary feedback circuit 19a through divider 23) for obtaining consistent illumination between the primary sub-system and the secondary sub-system (by setting dimming level).

Claim Rejections – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (5,418,432) in view of Coaton (textbook lecture).

Regarding Claim 1, Takeuchi discloses a driving apparatus for light sources, comprising:

- a primary and at least a secondary driving circuits (14G, 14R);

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- a primary and at least a secondary light tubes (12G, 12R);
- a primary and at least a secondary feedback circuit (19b, 19a); and
- at least two photosensitive elements (13G, 13R) corresponding to the primary and the secondary light tubes (12G, 12R), respectively,
- wherein the primary and the secondary driving circuits (14G, 14R) provide power to drive the primary and the secondary light tubes (12G, 12R), respectively, photoelectric current of the photosensitive elements (13G, 13R) alter according to the respective brightness of the primary and secondary light tubes (12G, 12R), the primary feedback circuit (19b) receives the photoelectric current (from light signal converters) of a corresponding photosensitive element (12G) and providing an output signal to the primary driving circuit (14G), and the secondary feedback circuit (19a) receives at least two photoelectric currents of the photosensitive elements (13G, 13R through converters 18G and 18R) and provides at least an output signal (through 26, 25, 15G) to the secondary driving circuit (14R) in order to keep the brightness of the secondary light tube (12G) the same as the brightness of the primary light tube (12R) (by setting the same dimming level) (See Figure 5B).

As discussed above, Takeuchi essentially discloses the claimed invention but fails to disclose that the light sources being fluorescent lamps. However, Coaton teaches that fluorescent lamps give substantial energy saving, overall cost savings, lamp life longevity, and resistant to vibration. Since Takeuchi does not specify the light

sources, it would have been obvious to one of ordinary skill in the art to use fluorescent lamps in Takeuchi as light sources in order to reduce power consumption, lengthen the life of the lamp and reduce vibration.

Regarding Claim 2, Takeuchi discloses that the photosensitive elements are photo resistors (CdS) (See Col. 6, line 45). In order to support Examiner's position, Eunghwa and Caya cited in the PTO-892 form both indicate that CdS has resistance property or a photo-resistor (In Eunghwa, Col. 4, lines 52-55; In Caya, Col. 6, lines 22-23).

Regarding Claim 3, Takeuchi discloses that the photosensitive elements are photo diodes (See Col. 6, line 45).

Allowable subject matter

Claims 4-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Muthu et al. (6,596,977) discloses a PWM control for white light luminaries. Pilz et al. (6,403,143) discloses a method for starting up the electrical equipment of a lighting system. Bonasis et al. (6,307,331) discloses a multiple sensor LUX reader and averager. Caya et al. (6,133,695) discloses that CdS sensor is a photo-resistor. Eunghwa (5,619,104) discloses CdS having resistance property.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to Technology Center 2800 applications may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILSON LEE
PRIMARY EXAMINER

10-29-05